

REMARKS

Claims 3 and 5-7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,116,881 to Park et al. ("Park") in view of WO 94/07930 ("WO '930").

Claims 5-7 are canceled herein. Therefore, upon entry of the amendment, Claim 3 will be the only claim pending in the application.

Response to the Rejection of Claim 3

It is asserted that it would have been obvious to one of ordinary skill in the art to substitute the non-foamed tie layer (or intermediate layer) of Park with a long-chain branched polyolefin layer, motivated by the desire to obtain improved melt processability and mechanical properties, as taught by WO '930.

Applicants respectfully submit, however, that the presently claimed invention is not rendered obvious by the cited prior art. Specifically, Applicants submit that one of ordinary skill in the art would not have been motivated to incorporate the polyolefin layer of WO '930 into the resin sheet of Park.

In the rejection of Claim 3 set forth in the Non-Final Office Action of January 2, 2004¹, the Examiner states the following with respect to WO '930:

WO '930 expressly teaches that it is known that long chain branched polyolefin resin are characterized by superior processability characteristics of the polymer melts and superior mechanical characteristics of the solid polymers, and are useful for fabrication into a wide variety of articles by conventional fabrication techniques.

¹ The reasons for rejection set forth in the Non-Final Office Action are maintained in the Final Office Action of May 10, 2004.

Applicants submit, however, that WO '930 only teaches that the polymer taught therein possesses good processability characteristics. Applicants assert that in view of the fact that there have been many resins characterized (in the prior art) as having good processability characteristics, the teachings of WO '930, as well as the prior art as a whole, would not motivate a person of ordinary skill in the art to modify the resin sheet of Park in the manner necessary to arrive at the claimed invention.

With respect to mechanical characteristics, WO '930 states that the polymer taught therein possesses good impact and tear resistance, good environmental stress crack resistance (ESCR) values and good tensile properties. *See* page 35, lines 16-24. Applicants submit, however, that WO '930 does not teach using the polymer in multilayer products, or does it suggest that the polymer would contribute its characteristics to such multilayer products. Further, because there have been known many resins characterized as having good mechanical characteristics in the prior art, Applicants submit that one of ordinary skill in the art would not have been motivated to arrive at the claimed invention in view of the prior art as whole.

In view of the foregoing, Applicants submit that the rejection of Claim 3 be reconsidered and withdrawn.

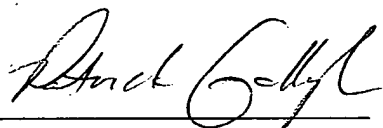
Accordingly, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No. 09/993,678

Q67285

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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